

# **EXHIBIT A**

**Mississippi Electronic Courts**  
**Twentieth Circuit Court District (Madison Circuit Court)**  
**CIVIL DOCKET FOR CASE #: 45CI1:21-cv-00184-JA**

Robinson v. Harbour Frieght Tools USA, Inc.  
Assigned to: Dewey Arthur

Date Filed: 07/15/2021  
Current Days Pending: 27  
Total Case Age: 27  
Jury Demand: None  
Nature of Suit: 183 Products Liability

**Upcoming Settings:**

None Found

**Plaintiff**

**Claude Robinson**  
819 Briarfield Road  
Jackson, MS 39211

represented by **John H. Stevens**  
Grenfell & Stevens  
1535 Lelia Drive  
JACKSON, MS 39236  
601-366-1900  
Fax: 601-366-1799  
Email: jstevens91@aol.com  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Harbour Frieght Tools USA, Inc.**  
232 Market St. #1600  
Flowood, Ms 39232  
*doing business as*  
USA General

represented by **John H. Stevens**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
07/15/2021	<u>1</u>	COMPLAINT against Harbour Frieght Tools USA, Inc., filed by Harbour Frieght Tools USA, Inc.. (Attachments: # <u>1</u> Civil Cover Sheet,) (Sanders, Fannie) (Entered: 07/15/2021)
07/15/2021	<u>2</u>	SUMMONS Issued to Attorney as to (Harbour Frieght Tools USA, Inc./Corporate Creations Network, Inc./Registered Agent) (Sanders, Fannie) (Entered: 07/15/2021)
08/06/2021	<u>4</u>	SUMMONS Returned Executed by Claude Robinson. Harbour Frieght Tools USA, Inc. served on 8/5/2021, answer due 9/4/2021. Service type: Personal (Stevens, John) (Entered: 08/06/2021)

<b>MEC Service Center</b>
<b>Transaction Receipt</b>
08/11/2021 12:49:40
<b>You will be charged \$0.20 per page to view or print</b>

documents.			
<b>MEC Login:</b>	as9466M	<b>Client Code:</b>	Harbor Freight Robinson
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	45CI1:21-cv-00184-JA
<b>Billable Pages:</b>	1	<b>Cost:</b>	0.20

Case: 45C11:21-cv-00184-JA Document #: 1 Filed: 07/15/2021 Page 1 of 7

**IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI**

**CLAUDE ROBINSON**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO. CF-2021-0184-JA**

**HARBOR FREIGHT TOOLS USA, INC.  
D/B/A US GENERAL**

**FILED  
MADISON COUNTY**

**and**

**JUL 15 2021**

**ANITA WRAY, CIRCUIT CLERK**

**JOHN DOES 1-3**

**BY [Signature] D.C.**

**DEFENDANTS**

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**COMPLAINT  
JURY TRIAL REQUESTED**

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**COMES NOW** Claude Robinson, Plaintiff, and files this Complaint against Harbor Freight Tools USA, Inc. d/b/a US General and John Does 1-3, Defendants, stating in support hereof as follows:

1.

Plaintiff, Claude Robinson, is an adult resident citizen of Hinds County, Mississippi, and currently resides at 819 Briarfield Road, Jackson, MS 39211.

2.

Defendant, Harbor Freight Tools USA ("hereinafter referred to as "Harbor Freight") d/b/a US General, is a foreign corporation doing business in the State of Mississippi, incorporated pursuant to the laws of the State of Delaware, with its principal place of business located at 1301 26541 Aguoura Road, Calabasas, CA 91302. Harbor Freight may be served with process of this Court through its registered agent, Corporate Creations Network, Inc., at 232 Market St #1600, Flowood, MS 39232, pursuant to Mississippi law.

3.

John Doe and certain other potential Defendants are makers of component parts or otherwise have liability herein for the defective industrial roller cabinet to be identified after Discovery is completed.

4.

At all designs pertinent hereto, Harbor Freight was engaged in the business of manufacturing, distributing, marketing, selling and servicing the 44" 13 Drawer Industrial Roller Cabinet or similar model(s), one of which is the subject matter of this action, under its US General label. Based upon information and belief, plaintiff alleges that Harbor Freight, manufactured the Industrial Roller Cabinet which is believed to be a model similar to the model used by the Plaintiff at his place of employment, Vertex Aerospace Services. Therefore, Defendant, Harbor Freight is liable for injuries caused to the Plaintiff.

5.

According to Mississippi Product Liability Act (MPLA), Miss. Code Ann. § 11-1-63(h), Harbor Freight can be liable when they "... exercised substantial control over that aspect of the design, testing, manufacture, packaging or labeling of the product that caused the harm for which recovery of damages is sought." Harbor Freight was more than a mere conduit of the product. Based upon reasonable belief Harbor Freight was involved in the design, manufacture, construction, assembly, inspection and sale of the industrial roller cabinet under its U.S. General label. Harbor Freight was involved with the manufacture of said product, through an unknown Chinese manufacturer for sale and distribution.

6.

On or about July 16, 2018, Plaintiff, Claude Robinson was working within the scope of his employment at Vertex Aerospace Services, located at 555 Industrial Drive South, Madison, MS 39110. Plaintiff was working around and using the industrial roller cabinet, manufactured, distributed, marketed, and sold by the Defendant.

7.

The Plaintiff further alleges and would show that the machine, as designed, assembled, manufactured, marketed and sold by the Defendant was in a defective and unreasonably dangerous condition to the ultimate user or consumer including the Plaintiff at the time it left the hands of the Defendant up to and including the time it caused injury to the Plaintiff as alleged herein.

8.

Plaintiff alleges that on or about July 16, 2018, he was helping a co-worker move the industrial cabinet. Said co-worker unlocked the wheels and brake on the cabinet so that the co-worker could pull out the cabinet. The cabinet became unstable and all 13 drawers on the cabinet opened. The cabinet then fell over, landing on Plaintiff's right leg, pinning the Plaintiff between the cabinet a nearby table. Plaintiff sustained injuries to his right leg, back, and other injuries to be more specifically described at the trial of this matter.

#### **CAUSES OF ACTION**

9.

Defendant, Harbor Freight, was negligent in one or more of the following respects:

A. Negligently and carelessly failing to employ that degree of care and caution as was required of a reasonably prudent supplier and manufacturer under the same or similar circumstances;

B. In negligently designing and/or manufacturing and/or marketing and/or selling the product in an inherently and imminently dangerous condition;

C. In negligently failing to equip the product with proper safety devices and/or in the alternative negligently designing, manufacturing or selling the product in such a condition that it could be operated without the use of safety devices;

D. In negligently failing to adequately warn or instruct the Plaintiff or other users of the product or its dangerous propensities of unsafe methods of using said product;

E. In negligently and carelessly failing to properly design and configure the machine so it could be operated in a safe manner without exposure to dangerous points and operating hazards;

F. In breach of express and implied warranty including the warranties of merchantability and fitness;

G. In other respects to be shown at this trial.

10.

Defendant, Harbor Freight, is strictly liable for placing in the stream of commerce a product or products that were unreasonably dangerous and defective in manufacturing, warning, and/or design pursuant to Mississippi Law.

11.

The Defendant, Harbor Freight, is further liable for injuries and damages complained of herein that the Defendant sold the product in a defective condition, unreasonably dangerous to the user or consumer and are subject to liability for physical harm thereby caused to the ultimate user or consumer in that the seller is engaged in the business of manufacturing and selling such product and the product is expected to and did reach the ultimate user or consumer without substantial change in condition in which it is sold.

12.

The Plaintiff, Claude Robinson, has been caused to suffer the following injuries and damages proximately resulting from the aforementioned actions of the Defendant:

- A. Severe and permanent injury to his right leg and to his body as a whole;
- B. Great fright and shock;
- C. Great physical pain and suffering, past, present and future;
- D. Great mental and emotional anguish, past, present and future;
- E. Medical expenses, both past and future;
- F. Inability to enjoy the normal pleasures of life, both past and future;
- G. Loss of earning capacity, both past and future;
- H. Lost wages, both past and future; and,
- I. Other damages to be shown at the trial of this case.

**WHEREFORE**, Plaintiff brings this suit against the Defendants for all actual damages as aforesaid to be determined at trial and in addition the Plaintiff reserves the right to amend and seek punitive damages if the evidence reveals that defendant was grossly negligent and acted in a reckless manner causing the plaintiff's injury. Plaintiff requests actual damages in an amount to be determined by the jury at the trial of this matter, together with all prejudgment and post-judgment interest, attorney fees and costs.

**RESPECTFULLY SUBMITTED** this 15 day of July, 2021.

**CLAUDE ROBINSON, PLAINTIFF**

**BY:**

**JOHN H. STEVENS (MSB #8528)**



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OF COUNSEL:  
GRENFELL & STEVENS  
1535 Lelia Drive  
Post Office Box 16570  
Jackson, MS 39236-6570  
Telephone: (601) 366-1900  
Facsimile: (601) 366-1799  
Email: [jstevens91@aol.com](mailto:jstevens91@aol.com)  
*Attorney for Plaintiff*

Case: 45Cl1:21-cv-00184-JA Document #: 1 Filed: 07/15/2021 Page 7 of 7  
FEE BILL, CIVIL CASES, CIRCUIT COURT

State of Mississippi  
Madison County

ROBINSON VS HARBOR FREIGHT

Case # CI-2021-0184 Acct # Paid By CHECK 6072 Rct# 92653

CV CLERK'S FEE	85.00
CV LAW LIBRARY	2.50
CV COURT REPORTER TAX	10.00
CV COURT EDUCATION	2.00
CV COURT ADMINISTRATOR	2.00
CV CIVIL LEGAL ASSISTANCE FUND	5.00
CV COMPREHENSIVE ELECTRONIC CT	10.00
CV JURY TAX	3.00
CV CONSTITUENTS FE	.50
CV RECORDS MANAGEMENT PROGRAM	1.00
CV-JUDICIAL SYS OPERATION FUND	40.00

Total \$ 161.00

Payment received from STEVENS LAW FIRM

Transaction 97895 Received 7/15/2021 at 12:39 Drawer 1 I.D. WJEFFERSON  
Current Balance Due \$0.00 Receipt Amount \$ 161.00

By \_\_\_\_\_ D.C. ANITA WRAY, Circuit Clerk

Case # CI-2021-0184 Acct # Paid By CHECK 6072 Rct# 92653

COVER SHEET Case 3:21-cv-00519-KHJ-MTP Civil Case Filing Form (To be completed by Attorney/Party Prior to Filing of Pleading)		Case Identification Packet II County: <u>Jackson</u> Judicial: <u>Madison</u> Court ID: <u>001</u> District: <u>(CL, CL, CO)</u> <u>CL, CL, CO</u> Month: <u>08</u> Date: <u>11</u> Year: <u>2021</u> This form to be completed by Clerk		Case File # <u>2021-00519</u> Docket Number <u>001</u> Local Docket # <u>001</u>	
Mississippi Supreme Court Administrative Office of Courts		Form AOC/01 (Rev 2020)		One Plaintiff Case only for 1/2/3/4	
In the <u>CIRCUIT</u>		Court of <u>MADISON</u>		County <u>—</u> Judicial District <u>—</u>	
Origin of Suit (Place an "X" in one box only)					
<input checked="" type="checkbox"/> Initial Filing		<input type="checkbox"/> Reinstated		<input type="checkbox"/> Foreign Judgment Enrolled	
<input type="checkbox"/> Remanded		<input type="checkbox"/> Reopened		<input type="checkbox"/> Transfer from Other court	
		<input type="checkbox"/> Joining Suit/Action		<input type="checkbox"/> Appeal	
<input type="checkbox"/> Other					
Plaintiff - Party(ies) Initially Bringing Suit Should Be Entered First - Enter Additional Plaintiffs on Separate Form					
Individual <u>Robinson</u> <u>Claude</u>					
Last Name		First Name		Maiden Name, if applicable	
				M.I. <u>—</u> Jr/Sr/III/IV <u>—</u>	
<input type="checkbox"/> Check (x) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style: Estate of <u>—</u>					
<input type="checkbox"/> Check (x) if Individual Plaintiff is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity: D/B/A or Agency <u>—</u>					
Business <u>—</u>					
Enter legal name of business, corporation, partnership, agency - If Corporation, indicate the state where incorporated					
<input type="checkbox"/> Check (x) if Business Plaintiff is filing suit in the name of an entity other than the above, and enter below: D/B/A <u>—</u>					
Address of Plaintiff <u>819 Briarfield Road, Jackson, Mississippi 39211</u>					
Attorney (Name & Address) <u>John H. Stevens, 1535 Lelia Drive, Jackson, Mississippi 39216</u>				MS Bar No. <u>8528</u>	
<input type="checkbox"/> Check (x) if Individual Filing Initial Pleading is NOT an attorney					
Signature of Individual Filing <u>[Signature]</u>					
Defendant - Name of Defendant - Enter Additional Defendants on Separate Form					
Individual <u>—</u> <u>—</u>					
Last Name		First Name		Maiden Name, if applicable	
				M.I. <u>—</u> Jr/Sr/III/IV <u>—</u>	
<input type="checkbox"/> Check (x) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style: Estate of <u>—</u>					
<input type="checkbox"/> Check (x) if Individual Defendant is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity: D/B/A or Agency <u>—</u>					
Business <u>—</u>					
Enter legal name of business, corporation, partnership, agency - If Corporation, indicate the state where incorporated					
<input type="checkbox"/> Check (x) if Business Defendant is acting in the name of an entity other than the above, and enter below: D/B/A <u>Harbor Freight Tools USA</u>					
Attorney (Name & Address) - If Known <u>—</u>				MS Bar No. <u>—</u>	
<input type="checkbox"/> Check (x) if child support is contemplated as an issue in this suit.* *If checked, please submit completed Child Support Information Sheet with this Cover Sheet					
Nature of Suit (Place an "X" in one box only)					
<input type="checkbox"/> Child Custody/Visitation		<input type="checkbox"/> Accounting (Business)		<input type="checkbox"/> Alcohol/Drug Commitment (voluntary)	
<input type="checkbox"/> Child Support		<input type="checkbox"/> Business Dissolution		<input type="checkbox"/> Other <u>—</u>	
<input type="checkbox"/> Contempt		<input type="checkbox"/> Debt Collection		<input type="checkbox"/> Adoption - Contested	
<input type="checkbox"/> Divorce: Fault		<input type="checkbox"/> Employment		<input type="checkbox"/> Adoption - Uncontested	
<input type="checkbox"/> Divorce: Irreconcilable Diff.		<input type="checkbox"/> Foreign Judgment		<input type="checkbox"/> Consent to Abortion	
<input type="checkbox"/> Domestic Abuse		<input type="checkbox"/> Garnishment		<input type="checkbox"/> Minor Removal of Minority	
<input type="checkbox"/> Emancipation		<input type="checkbox"/> Replevin		<input type="checkbox"/> Other <u>—</u>	
<input type="checkbox"/> Modification		<input type="checkbox"/> Other <u>—</u>		<input type="checkbox"/> Elections	
<input type="checkbox"/> Paternity				<input type="checkbox"/> Expungement	
<input type="checkbox"/> Property Division		<input type="checkbox"/> Accounting (Probate)		<input type="checkbox"/> Habeas Corpus	
<input type="checkbox"/> Separate Maintenance		<input type="checkbox"/> Birth Certificate Correction		<input type="checkbox"/> Post Conviction Relief/Prisoner	
<input type="checkbox"/> Term. of Parental Rights-Chancery		<input type="checkbox"/> Mental Health Commitment		<input type="checkbox"/> Other <u>—</u>	
<input type="checkbox"/> UIFSA (eff 7/1/97; formerly URESA)		<input type="checkbox"/> Conservatorship		<input type="checkbox"/> Breach of Contract	
<input type="checkbox"/> Other <u>—</u>		<input type="checkbox"/> Guardianship		<input type="checkbox"/> Installment Contract	
		<input type="checkbox"/> Joint Conservatorship & Guardianship		<input type="checkbox"/> Insurance	
		<input type="checkbox"/> Heirship		<input type="checkbox"/> Specific Performance	
		<input type="checkbox"/> Intestate Estate		<input type="checkbox"/> Other <u>—</u>	
		<input type="checkbox"/> Minor's Settlement		<input type="checkbox"/> Bond Validation	
		<input type="checkbox"/> Muniment of Title		<input type="checkbox"/> Civil Forfeiture	
		<input type="checkbox"/> Name Change		<input type="checkbox"/> Declaratory Judgment	
		<input type="checkbox"/> Testate Estate		<input type="checkbox"/> Injunction or Restraining Order	
		<input type="checkbox"/> Will Contest		<input type="checkbox"/> Other <u>—</u>	
		<input type="checkbox"/> Alcohol/Drug Commitment (voluntary)			
<input type="checkbox"/> Administrative Agency				<input type="checkbox"/> Adverse Possession	
<input type="checkbox"/> County Court				<input type="checkbox"/> Ejectment	
<input type="checkbox"/> Hardship Petition (Driver License)				<input type="checkbox"/> Eminent Domain	
<input type="checkbox"/> Justice Court				<input type="checkbox"/> Eviction	
<input type="checkbox"/> MS Dept Employment Security				<input type="checkbox"/> Judicial Foreclosure	
<input type="checkbox"/> Municipal Court				<input type="checkbox"/> Lien Assertion	
<input type="checkbox"/> Other <u>—</u>				<input type="checkbox"/> Partition	
				<input type="checkbox"/> Tax Sale: Confirm/Cancel	
				<input type="checkbox"/> Title Boundary or Easement	
				<input type="checkbox"/> Other <u>—</u>	
				<input type="checkbox"/> Bad Faith	
				<input type="checkbox"/> Fraud	
				<input type="checkbox"/> Intentional Tort	
				<input type="checkbox"/> Loss of Consortium	
				<input type="checkbox"/> Malpractice - Legal	
				<input type="checkbox"/> Malpractice - Medical	
				<input type="checkbox"/> Mass Tort	
				<input type="checkbox"/> Negligence - General	
				<input type="checkbox"/> Negligence - Motor Vehicle	
				<input type="checkbox"/> Premises Liability	
				<input checked="" type="checkbox"/> Product Liability	
				<input type="checkbox"/> Subrogation	
				<input type="checkbox"/> Wrongful Death	
				<input type="checkbox"/> Other <u>—</u>	

Case: 45CI1:21-cv-00184-JA Document #: 2 Filed: 07/15/2021 Page 1 of 1

**IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI**

**CLAUDE ROBINSON**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO. CI-2021-0184-JA**

**HARBOR FREIGHT TOOLS USA, INC.  
D/B/A US GENERAL**

**and**

**JOHN DOES 1-3**

**DEFENDANTS**

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**SUMMONS**

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**THE STATE OF MISSISSIPPI  
COUNTY OF MADISON**

**TO: HARBOR FREIGHT TOOLS USA, INC.  
CORPORATE CREATIONS NETWORK, INC.  
*Registered Agent*  
232 Market St. #1600  
Flowood, MS 39232**

**NOTICE TO DEFENDANT**

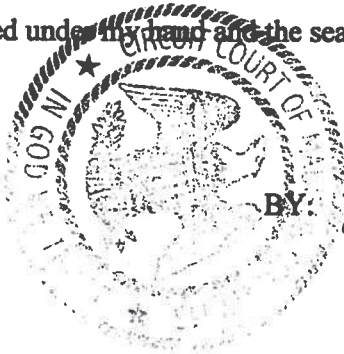
**THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT  
AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.**

You are required to mail or hand-deliver a copy of a written response to the Complaint to HONORABLE JOHN HUNTER STEVENS, the attorney for the Plaintiff, whose address is 1535 LELIA DRIVE, JACKSON, MISSISSIPPI 39216.

Your response must be mailed or delivered within thirty (30) days from the date of delivery of this summons and complaint or a judgment by default will be entered against you for the money or other things demanded in the complaint.

You must file the original of your response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and the seal of said Court, this the 15 day of July, 2021.



**ANITA WRAY, CIRCUIT CLERK  
MADISON COUNTY**

**BY:**

  
**CIRCUIT CLERK**



Case: 45Cl1:21-cv-00184-JA Document #: 4 Filed: 08/06/2021 Page 1 of 2

**IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI**

**CLAUDE ROBINSON**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO.:** CI-2021-0184 JA

**HARBOR FREIGHT TOOLS USA, INC.  
D/B/A US GENERAL**

**and**

**JOHN DOES 1-3**

**DEFENDANTS**

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**SUMMONS**

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**THE STATE OF MISSISSIPPI  
COUNTY OF MADISON**

**TO: HARBOR FREIGHT TOOLS USA, INC.  
CORPORATE CREATIONS NETWORK, INC.  
Registered Agent  
232 Market St. #1600  
Flowood, MS 39232**

**NOTICE TO DEFENDANT**

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AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.**

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Your response must be mailed or delivered within thirty (30) days from the date of delivery of this summons and complaint or a judgment by default will be entered against you for the money or other things demanded in the complaint.

You must file the original of your response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and the seal of said Court, this the 16<sup>th</sup> day of July, 2021.

ANITA WRAY, CIRCUIT CLERK  
MADISON COUNTY

BY:

[Signature]  
CIRCUIT CLERK



Case: 45CI1:21-cv-00184-JA Document #: 4 Filed: 08/06/2021 Page 2 of 2

**PROOF OF SERVICE - Summons**

Paula Walls  
Name of Person or Entity Served

I, the undersigned, served the Summons and Complaint upon the person or entity named above in the manner set forth below:

☒ I personally delivered copies of the Summons and Complaint on the 5<sup>th</sup> day of August, 2021.

☐ I personally delivered copies of the Summons and Complaint on the \_\_\_\_\_ day of \_\_\_\_\_, 2021, by United States Mail, Postage Prepaid, Certified, Return Receipt Requested.

☐ After exercising reasonable diligence I was unable to deliver copies of the Summons and Complaint to \_\_\_\_\_ within \_\_\_\_\_ County, Mississippi. I served the Summons and Complaint on the \_\_\_\_\_ day of \_\_\_\_\_, 2021, at the usual place of abode of said \_\_\_\_\_ by leaving a true copy of the Summons and Complaint with \_\_\_\_\_, who is the \_\_\_\_\_ (here insert wife, husband, son, daughter or other person as the case may be) a member of the family of the person served above the age of 16 years and willing to receive the Summons and Complaint, and thereafter on the \_\_\_\_\_ day of \_\_\_\_\_, 2021, I mailed (by first class mail, postage prepaid), a copy to the person served at his or her usual place of abode where the copies were left.

☐ I was unable to serve the Summons and Complaint.

At the time of the service I was at least 18 years of age and not a party to this action.

Name: Virginia Manning  
Address: 1535 Lelia Dr. Jackson, MS  
Telephone: 601 366 1900  
SS#: XXX XX 7566

I Virginia Manning served the above Summons and copy of the Complaint on Corporate Creations Network Inc. in the manner set forth above.

Virginia Manning

SWORN TO AND SUBSCRIBED before me, on this, the 5 day of Aug, 2021.

Paula Walls  
Notary Public

My Commission Expires:

12/03/23

